

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

VASILIOS ZANNIKOS, Individually and
on Behalf of All Others Similarly Situated §
Plaintiff, §
vs. §
OIL INSPECTIONS (U.S.A.) INC. AND §
STEPHEN TAYLOR, §
Defendants §
CIVIL ACTION NO. 4:12-CV-02508
JURY TRIAL DEMANDED

AGREED MOTION FOR ENTRY OF JUDGMENT

In light of the limited issues remaining in the case following the Court's ruling on the parties' cross-motions for summary judgment, the parties have reached an agreement to facilitate entry of a Final Judgment in this case. This follows Defendants' service of an Offer of Judgment pursuant to Rule 68 of the Federal Rules of Civil Procedure, a copy of which is attached hereto as Exhibit 1, offering the remaining plaintiffs – expressly subject to Defendants' right to appeal – the full amount of damages presently claimed by plaintiffs in light of the Court's summary judgment ruling, plus a specific amount of taxable costs plus fees in an amount to be determined by the Court.

Having thus narrowed the matters in controversy, the parties have reached an agreement as to the attorney's fees to be included in a judgment and, in turn, the form of judgment to be entered. In doing so, the parties have simply reached an agreement as to the form of judgment and not the underlying substance. Thus, the parties submit this motion and the attached proposed judgment expressly subject to each party's right to appeal from the judgment and/or any of the Court's prejudgment rulings. They also do so pursuant to their mutual agreement that the judgment should be stayed pursuant to Fed. R. App. P. 8(a)(1)(A) during the pendency of the Defendants' appeal.

The parties have reached this agreement to avoid incurring additional fees and costs to resolve these remaining issues. Accordingly, the parties respectfully request that the Court grant this motion and enter a Final Judgment in the form submitted with this motion. As noted, the parties have each approved the form of the motion and have reserved their right to appeal from the final judgment once entered.

Respectfully submitted,
KENNEDY HODGES, L.L.P.

By: *s/ Galvin Kennedy (by permission)*

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

On April 21, 2014, I electronically submitted the foregoing document with the Clerk of the Court of the United States District Court for the Southern District of Texas, using the electronic case filing system of the Court. I hereby certify that I have served all counsel and/or pro se parties of record electronically using the CM/ECF filing system or by any other manner authorized by Federal Rule of Civil Procedure (5)(b)(2).

/s/ Stephanie A. Hamm
Stephanie A. Hamm